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Attorney for Rode Perez-Perez

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
RODE PEREZ-PEREZ,  
Defendant.

Case No. 2:18-cr-082-KJD-GWF

**STIPULATION TO CONTINUE  
PRETRIAL MOTION DEADLINES**

IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United States Attorney, and Kathryn C. Newman, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Monique Kirtley, Assistant Federal Public Defender, counsel for Rode Perez-Perez, that the previously ordered deadline for filing of pretrial motions be vacated and that the parties herein shall have to and including May 7, 2018, within which to file the Defendant's pretrial motions currently due April 23, 2018.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including May 21, 2018, to file any and all responsive pleadings, currently due May 7, 2018.

1           IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they  
2 shall have to and including May 29, 2018, to file any and all replies to dispositive motions,  
3 currently due May 14, 2018.

4           The Stipulation is entered into for the following reasons:

5           1.       Counsel for the defendant needs additional time to meet and discuss the  
6 government's proposed resolution with her client; and to file a pretrial motion should her client  
7 reject the government's proposed resolution.

8           2.       The defendant is incarcerated and does not object to the continuance.

9           3.       The parties agree to the continuance.

10          4.       The additional time requested herein is not sought for purposes of delay, but  
11 merely to allow counsel for defendant sufficient time within which to discuss the proposed  
12 resolution with her client.

13          5.       Additionally, denial of this request for continuance could result in a miscarriage  
14 of justice.

15           This is the first stipulation to continue filed herein.

16           DATED this 23<sup>rd</sup> day of April, 2018.

17          RENE L. VALLADARES  
18          Federal Public Defender

DAYLE ELIESON  
United States Attorney

19          */s/ Monique Kirtley*  
20          By \_\_\_\_\_  
21          MONIQUE KIRTLEY  
Assistant Federal Public Defender

22          */s/ Kathryn C. Newman*  
23          By \_\_\_\_\_  
24          KATHRYN C. NEWMAN  
25          Assistant United States Attorney

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Case No. 2:18-cr-082-KJD-GWF

## FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

## **FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to meet and discuss the government's proposed resolution with her client; and to file a pretrial motion should her client reject the government's proposed resolution.

2. The defendant is incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to discuss the proposed resolution with her client.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

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## ORDER

IT IS THEREFORE ORDERED that the parties herein shall have to and including May 7, 2018, within which to file the Defendant's pretrial motions.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including May 21, 2018 to file any and all responsive pleadings.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including May 29, 2018 to file any and all replies to dispositive motions.

DATED this 25th day of April, 2018.

George Foley Jr.

UNITED STATES MAGISTRATE JUDGE